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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,801	12/20/2000	Christopher C. Ott	062891.0499	7278
7590	11/10/2003			
Barton E. Showalter Baker Botts L.L.P. 2001 Ross Avenue Dallas, TX 75201-2980			EXAMINER NGO, HUNG NHAT	
			ART UNIT 2633	PAPER NUMBER 2

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,801

Applicant(s)

OTT, CHRISTOPHER C.

Examiner

Hung N Ngo

Art Unit

2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 and 15-22 is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: _____

Art Unit: 2633

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9, 10, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poplawski (6,267,606) in view of Bowen et al (5,032,898) or Ikushima et al (4,199,222) or Stijer et al (5,985,185).

Poplawski discloses an optical interface module (14) comprising: an optical line (optical fiber); a connector (66,126) for removable coupling the optical interface module to an interface card (128); and an electrical /optical converter (46) operable to convert between optical signals communicated by the optical line and electrical signals communicated by the connector 66,126).

It is well known in the art to provide an optical line interface in an optical module to increase optical coupling efficiency between the optical line and the electrical/optical converter (see Fig. 6 of Stijer et al, or optical line interface 2 of Ikushima et al, or optical line interface 28 of Bowen et al).

It is well known in the art to provide a nine-pin D-subminiature connector for providing electrical contact and at the same time providing mechanical connection. It is also well known in the art to use a PCMCIA connector corresponding to a mating PCMCIA connector on the interface card to increase data transmission capacity. Therefore, it would be obvious to one of ordinary skill in the art to use a nine-pin D-subminiature connector or a PCMCIA connector in Poplawski device to connect the optical module to the interface card and increase data transmission capacity.

Fig. 12 of Poplawski discloses the connector facilitates removal of the optical interface module from the interface card while the interface card remains coupled to a backplane of a communications equipment rack.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poplawski (6,267,606) in view of Bowen et al (5,032,898) or Ikushima et al (4,199,222) or Stijer et al (5,985,185) as applied to claim 9 above and further in view of Knott (5,155,784). It is well known in the art to provide grooves in optical modules corresponding to guides in the interface card to secure the optical modules to the interface card (see Fig. 9 of Knott). Therefore, it would have been obvious to a person of ordinary skill in the art to provide grooves in the optical module and guides in the interface card of Poplawski to secure the optical module to the interface card.

3. Claims 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The language "industrial standard" (claim 9) is indefinite since "industrial standard" at different times would be different.

4. Claim 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.


5. Claims 1-8 and 15-22 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung N Ngo whose telephone number is (703) 308-0297. The examiner can normally be reached on M-F (8:30-5:00).

Art Unit: 2633

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 703-305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


Hung N Ngo
Primary Examiner
Art Unit 2633

hn